

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

FEB 3 1993

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed FEB 3 1993 under 58514-T

The applicant FirstMiss Gold Inc.

P.O. Box 220 of Golconda Nevada 89414

Street and No. or P.O. Box No. City or Town State and Zip Code No. hereby make application for permission to change the point of diversion, place of use, and manner of use of a portion

of water heretofore appropriated under Permit 45731 Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is underground Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.635 c.f.s. Second foot, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for mining, milling, dewatering Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining, milling and domestic (including dewatering of the pit). Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NE 1/4 SW 1/4 Section 33, T39N, R42E Describe as being within a 40-acre subdivision of public survey and by course and

M.D.B.&M.; beginning at the SW corner of said Section 33 to a point bearing distance to a section corner. If on unsurveyed land, it should be stated.

N 43° 30' 05" E a distance of 2666.34 feet; water is to be diverted from a pit well known as PW-4.

6. The existing permitted point of diversion is located within SW 1/4 NW 1/4 of Section 33, T39N, R42E If point of diversion is not changed, do not answer.

MDM, or at a point from which the West 1/4 corner of said Section 33 bears, S 34° 13' W a distance of 1193 feet.

7. Proposed place of use within sections 21, 22, 23, 26, 27, 28, 29, 32, 33, and 34 Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

in T39N, R42E, and within Sections 3, 4, 9, 10 in T38N, R42E, M.D.B.&M.

8. Existing place of use Section 33 and Section 35, T39N, R42E, MDM, Section 1, Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

Section 3 and Section 5, T38N, R42E, MDM. manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year. Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year. Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) drill a 700 foot well, case, and install State manner in which water is to be diverted, i.e. diversion structure,

pump and piping. ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$95,000.00

13. Estimated time required to construct works 3 weeks

14. Estimated time required to complete the application of water to beneficial use..... (temporary change)

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The estimated consumption of water pumped from the point of diversion is 149.8 million gallons per annum. The total consumption of water under permits 29075, 10370, 10369, 52476, 45731, 53015, and 45730 shall not exceed 584.99 million gallons per annum.

By s/John Barta  
P.O. Box 220  
Golconda, NV 89414

Compared pm/se pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 45731 is issued subject to the terms and conditions imposed in said Permit 45731 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the temporary permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 10369, Certificate 2757; 10370, Certificate 2758; 28758, 28759, 45730, 45731, 45732, 49815, 52746, 53015, 53030; 58514-T, 58515-T, 58516-T and 58517-T shall not exceed 799.75 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.635 cubic feet per second, but not to exceed 142.66 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

TEMPORARY

Completion of work filed  
Proof of beneficial use filed  
Cultural map filed  
Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 5TH day of March

A.D. 19 93

[Signature] State Engineer

EXPIRED

DATE MAR 03 1994

(PERMIT TERMS CONTINUED)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on March 5, 1994 at which time all rights herein granted shall revert to the right being changed by this temporary permit.